

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA, ) CASE NO. 05-CR-10175-WGY  
Plaintiff, )  
vs. ) VERIFIED MOVE FOR DUE PROCESS  
Nadine J. Griffin, ) AND EQUAL PROTECTION UNDER THE  
Accused, Belligerent Claimant ) LAW PURSUANT TO THE FOURTHEETH  
 ) AMENDMENT TO THE CONSTITUTION  
 ) OF UNITED STATES OF AMERICA  
 )  
 ) (No oral argument)

COMES NOW Nadine J. Griffin (hereinafter "Belligerent Claimant") moving this Court  
grant due process and equal protection (hereinafter referred to as "Rights") under the Law  
pursuant to the Fourteenth Amendment to the Constitution for the United States of America as  
amended and annotated to date.

Thus far, Nadine J. Griffin has been denied due process and equal protection, proceeding before this Court's judicial officials under threat, duress coercion and intimidation. Nadine J. Griffin's reliance upon conditions precedent and United States Supreme Court rulings that would prove to dispose of the statutory victimless commercial crime of belief, thought—crime issues, has resulted in minute orders being issued by judicial official and CEO William G. Young, who refuses to issue any Orders as prescribed by Law.

1 Evidence herein concludes that both Christopher Maietta (a United States employee and  
 2 judicial official) and CEO William G. Young (a United States employee) are acting and continue  
 3 to display acts of extreme prejudice, bias, partiality towards Nadine J. Griffin and favoritism  
 4 towards their United States Plaintiff and Federal employer.

5 We have recognized that "most constitutional errors can be harmless."  
 6 *Fulminante, supra*, at 306. "[I]f the defendant had counsel and was tried by an  
 7 impartial adjudicator, there is a strong presumption that any other [constitutional]  
 8 errors that may have occurred are subject to harmless-error analysis." *Rose v.  
 9 Clark*, 478 U.S. 570, 579 (1986). Indeed, we have found an error to be  
 10 "structural," and thus subject to automatic reversal, only in a "very limited class of  
 11 cases." *Johnson v. United States*, 520 U.S. 461, 468 (1997) (citing *Gideon v.  
 12 Wainwright*, 372 U.S. 335 (1963) (complete denial of counsel); *Tumey v. Ohio*,  
 273 U.S. 510 (1927) (biased trial judge); *Vasquez v. Hillery*, 474 U.S. 254 (1986)  
 (racial discrimination in selection of grand jury); *McKaskle v. Wiggins*, 465 U.S.  
 168 (1984) (denial of self-representation at trial); *Waller v. Georgia*, 467 U.S. 39  
 (1984) (denial of public trial); *Sullivan v. Louisiana*, 508 U.S. 275 (1993)  
 (defective reasonable-doubt instruction)).

13 The United States Plaintiff's employee judicial official and CEO William G. Young, has  
 14 continued to protect Christopher Maietta (the United States Plaintiff's employee attorney) not  
 15 requiring him in any manner to prove his claims against Nadine J. Griffin which substantially  
 16 effects the "Rights" of Nadine J. Griffin.

17 Additionally, Judicial official and CEO William G. Young has denied Nadine J. Griffin due  
 18 process and equal protection under the law by the following acts: (1) issuing minute orders  
 19 instead of hard copy, signed orders, (2) refusing to rule on any issue of law, (3) summarily  
 20 denying Nadine J. Griffin's *moves* in every instance, and (4) offering no findings of fact or  
 21 conclusions of law for said denials. These obvious non-responses (minute orders) and prejudicial  
 22 acts of judicial official and CEO William G. Young compromises the very essence of the due  
 23 process clause as established in the Constitution for the United States of America (as amended),  
 24 United States Supreme Court decisions and America Jurisprudence. For these and other reasons,  
 25

1 Nadine J. Griffin's moves for the due process of Law and equal protection under the Laws as  
 2 guaranteed by the Constitution.

3 Nadine J. Griffin does not wish to continue being denied due process of Law and equal  
 4 protection under the Law and equal access to the this Court by its judicial official William G.  
 5 Young issuing arbitrary and capricious minute orders and other docket entries – refusing to rule  
 6 on clearly established issues of Law. The Belligerent Claimant believes the oversight on her part,  
 7 resulted from the filing of “Motions” before this Court without being a member of the bar  
 8 association or any other recognized club affiliation. Upon research and discovery of prevailing  
 9 legal citations and opinions, it appears the Court is unable to entertain “Motions” from non-  
 10 members of the bar and non-officers of this Court, therein regarding such pleadings “frivolous”,  
 11 “unintelligible” or “without merit.” Understanding that all words in statutes are “Words of Art,”  
 12 assigned meanings and definitions often unrelated to reality, the Belligerent Claimant proceeds  
 13 with due diligence in an attempt to establish the proper context by which she stands as a  
 14 Conscious, Living, Thinking, Feeling, Flesh and Blood Sentient Being, and Not a statutory  
 15 person or creation of the Government.

16  
 17 Therefore, Nadine J. Griffin, a Belligerent Claimant of her Rights, and not an officer of this  
 18 Court, proceeding under compulsion by the United States Plaintiff’s *qui tam* Actors and in her  
 19 own Right, herein “Moves” this Court in an attempt to be proper before its judicial officials. The  
 20 following are definitions for “Move” and “Motion” which are from Black’s Law Dictionary:  
 21

22 See Blacks Law 4<sup>th</sup> Edition pg 1165. MOVE. “*To make an application to a*  
*court for a rule or order, or to take action in any matter.*” *To ask Harris v.*  
*Chicago House-Wrecking Co.*, 314 Ill. 500, 145 N.E. 666, 669. “*The term*  
*comprehends all things necessary to be done by a litigant to obtain an order of*  
*the court directing the relief sought.*” *O’Hanion v. Great Northern Ry. Co.*, 76  
*Mont.* 128, 245 P. 518, 519.

23  
 24  
 25     ///

1 Blacks Law 4<sup>th</sup> Edition pg. 1164 and 6<sup>th</sup> Edition pg. 913 MOTION. “*The formal*  
 2 *mode in which a member submits a proposed measure or resolve for the*  
 3 *consideration and action of the meeting.*” “*An application made to a court or*  
*judge for purpose of obtaining a rule or order directing some act to be done in*  
*favor of the applicant.*” State v. James, Mo., 347 S.W.2d 211, 216.

4 The Courts have made a clear distinction between one who is authorized to “*Motion*” the court  
 5 versus one who must “*Move*” the court. Accordingly, a “Motion” can only be entertained and  
 6 submitted by a “member,” which applies to members of a bar association such as judicial official  
 7 and CEO William G. Young and United States Attorney Christopher Maietta. Nadine J. Griffin,  
 8 having no nexus, membership, partnership or otherwise with this Court or its associations,  
 9 proceeding as non-member, must “Move” this Court to be proper before it. Therefore, in the  
 10 nature of FRCP 9(c) and (d), Nadine J. Griffin *moves* this Court grant access and take mandatory  
 11 judicial notice of All applicable statutes, codes, rules, regulations, procedures and stare decisis  
 12 court rulings for which you are bound. “*The sole function of the court is to enforce the law*  
 13 *according to statute.*” Caminetti v. United States, 37 S.Ct 192, 194 (1917)

15 Due to the uncertainty and often statutory insanity of public law reduced to private statutes  
 16 supported by the political and judicial opinions of the day — proffered in 13 Federal Circuits,  
 17 Nadine J. Griffin proceeds with the intent of forcing this Court’s officials to adhere to the simple  
 18 equation that  $2 + 2 = 4$ , and not 5, 3, 9 or all of the above. It is no secret that this quagmire of  
 19 statutes called law, supported with LEGAL OPINIONS spewed from 13 Federal Circuits and  
 20 the Supreme Court (not to mention the all the various courts in the 50 States) has resulted in the  
 21 most sadistic, intentionally misguiding, misleading, misdirecting, collusive, incomprehensibly  
 22 insane, diatribe and illegal system ever contrived; punctuating the malicious intent of those  
 23 responsible — attempting to hide the Law — making all those relying upon it co-dependant of  
 24

1 attorneys. Provided herein is a shining example of the double talk and mind games played by  
 2 authors of the internal revenue laws.

3       26 U.S.C. § 7851.(c) Crimes and forfeitures. *All offenses committed*, and all  
 4 penalties or forfeitures incurred, *under any provision of law hereby repealed*,  
*may be prosecuted and punished in the same manner and with the same effect*  
 5 *as if this title had not been enacted.*

6 Applying the  $2 + 2 = 4$  method to the reading of this statute implies that it is irrelevant that a  
 7 law has been repealed and is therefore no longer valid or enforceable; you can still be prosecuted  
 8 as if the statute is valid. How does one decode this intentional misdirecting content, filled with  
 9 riddles and superfluous skip-trace legalese, that the most knowledgeable of attorneys are  
 10 dumbfounded to determine its proper meaning and application? With landmines at every turn,  
 11 this deceitful and confusing maze of linguistic gymnastics compromises the legislative intent  
 12 clearly established by Congressional and mandated by the Supreme Court, rendering the  
 13 statutory language and construction completely unreliable. High ranking public officials of the  
 14 past have openly denounced the multiplicity and complexity of the internal revenue laws, written  
 15 with utter stupidity by attorneys to say the least.

16       United States Treasury Secretary Paul O'Neil stated on February 21, 2002:

17       “*Our tax code is an abomination. The complexity of our code strangles our*  
*prosperity, and it's a drag on our ability to create jobs in this nation”*

18       President Ronald Reagan espoused in May of 1983:

19       “*Our federal tax system is, in short, utterly impossible, utterly unjust and*  
*completely counterproductive [it] reeks with injustice and is fundamentally un-*  
*American . . . it has earned a rebellion and it is time we rebelled.”*

20       As top officials employed by the United States Plaintiff have historically attested to the  
 21 perversion of the internal revenue laws, such is no less prevalent today. The fact that judicial  
 22 officials are constantly arguing their personal dissenting opinions and disagreement with other

[j]ustices regarding the meaning of a statute provides proof-positive evidence that the law changes based on the judge and the politics of the day. For these and other reasons, Nadine J. Griffin *moves* for specific relief — having her Rights declared as a matter of Fact and Law; and this Court's issuance of a formal Order granting Nadine J. Griffin permission for use of *stare decisis* Supreme Court authorities and precedent when proceeding before this Court and its judicial officials establishing the following:

1. That this Court and its judicial officials honor, respect and take mandatory judicial notice of the Rights, Privileges and Immunities of Nadine J. Griffin proceeding as a Conscious, Thinking, Living, Breathing, Flesh and Blood Sentient Being, NOT a statutory person or creation of the United States Government.
2. That this Court and its judicial officials honor and respect the Constitution for the United States of America signed on September 17, 1787, including amendments and annotations as referenced therein to date.
3. That this Court and its judicial officials honor and respect the United States Supreme Court case authorities, including landmark cases as they relate to the internal revenue laws and income tax laws that have never been overturned to date.
4. That this Court and its judicial officials take mandatory judicial notice of the *prima facie* evidence of Internal Revenue Code, the United States Code Annotated, the United States Code Service, the United States Code Supplement as amended from 1986, 1954 and 1939 to date.
5. That this Court and its judicial officials take mandatory judicial notice of United States Code Service, Supplement and Annotated – Title 31 Money and Finance as amended to date.

- 1       6. That this Court and its judicial officials take mandatory judicial notice of the United States
- 2              Code Service, Supplement and Annotated – Title 18 Crimes and Punishment as amended to
- 3              date.
- 4       7. That this Court and its judicial officials take mandatory judicial notice of the United States
- 5              Statutes at Large as passed and published by the United States Congress regarding the
- 6              internal revenue laws and income tax laws.
- 7       8. That this Court and its judicial officials take mandatory judicial notice of All Titles of the
- 8              Code of Federal Regulations (CFR) as amended to include past regulations that may have
- 9              been deleted, excluded or reserved, but not repealed to date.
- 10      9. That this Court and its judicial officials take mandatory judicial notice of Revenue Rulings
- 11              as amended to date.
- 12      10. That this Court and its judicial officials take mandatory judicial notice of Internal Revenue
- 13              Manuals, Publications, Forms, Federal Register, Memorandums, System of Records, and all
- 14              related Government regulatory systems that govern the fair and efficient administration of
- 15              the internal revenue laws and the income tax laws as amended to date.
- 16      11. That this Court and its judicial officials take mandatory judicial notice of Congressionally
- 17              Mandated Federal Rules of Civil Procedure (a statute) annotated and as amended to date.
- 18      12. That this Court and its judicial officials take mandatory judicial notice of Congressionally
- 19              Mandated Federal Rules of Evidence (a statute) annotated and as amended to date.
- 20      13. That this Court and its judicial officials take mandatory judicial notice of All
- 21              Congressionally Mandated public laws, statutes, rules, regulations, codes, United States
- 22              Supreme Court Rulings not articulated in 2 through 12 above, yet relied upon by the United
- 23              States Plaintiff's Federal employees, *qui tam* officers and agents, including but not limited to
- 24
- 25

1 judicial official William G. Young – a United States Plaintiff employee and United States  
 2 Attorney Christopher Maietta – a United States Plaintiff employee.

3 **Conclusion**

4 Nadine J. Griffin is with information and belief that the Constitution for the United States of  
 5 America provides relief and protections by restraining the egregious acts of government officials.  
 6 Aware that more than 7 million judicially restricted and/or incarcerated Nationals and Citizens  
 7 are often victims of injustice by these United States court systems, convicted of senseless petty  
 8 statutory victimless crimes of belief — thought crimes wherein only the government claims an  
 9 injury; fallen prey to the tyrannical botulism of the Government with its constant usurpation of  
 10 inherent Freedom, legislating birth rights given by God which are reduced to mere statutory  
 11 privileges; one then knows the crisis “We the People” face in this country and throughout the  
 12 World.

14 Without question, one can easily assert that the nature of Man is inherently evil. Great men of  
 15 wisdom who have come before us have warned us of the challenges ahead centuries ago,  
 16 eloquently espousing, even in the days of slavery in its literal sense and statutory slavery  
 17 imposed by today's legalese, defining the restricted role for which government public servants,  
 18 gatekeepers of our Freedoms, Liberty, and Property are presumed to respect the Laws they have  
 19 been authorized to enforce in so stating:

20  
 21       *"Decency, security and liberty alike demand that government officials shall be  
           subjected to the same rules of conduct that are commands to the citizen. In a  
           government of laws, existence of the government will be imperiled if it fails to  
           observe the law scrupulously". [...] Our Government is the potent, the  
           omnipresent teacher. For good or for ill, it teaches the whole people by its  
           example...] Crime is contagious. If the Government becomes a lawbreaker, it  
           breeds contempt for law; it invites every man to become a law unto himself; it  
           invites anarchy. To declare that, in the administration of the criminal law, the  
           end justifies the means — to declare that the Government may commit crimes in  
           order to secure the conviction of a private criminal — would bring terrible*

*retribution. Against that pernicious doctrine this Court should resolutely set its face.*" *Olmstead v. United States*, 277 U.S. 438 (1928)

#### **Demand for Remedy and Relief Sought**

- 1.1 WHEREFORE; Nadine J. Griffin, proceeding on her own behalf and not as a Ward of the Court or a statutory person of unsound mind, moves this Court for due process, equal access and equal protection under the law as guaranteed by the Constitution for the United States of America; in lieu of the United States Plaintiff's employment of judicial officials within this Court, particularly judicial official and CEO William G. Young and the United States Attorney Christopher Maietta and all other known and unknown qui tam actors, informants and entities directly and indirectly having a nexus and/or interest in this action.
  - 1.2 WHEREFORE; Nadine J. Griffin *moves* this Court grant due process, equal access and protection under the Law that all pleadings or process filed by Nadine J. Griffin be properly disposed in accordance to the rule of law and applicable court rules that require the issuance of Orders establishing the findings of fact and conclusions of law pursuant to conditions precedent.
  - 1.3 WHEREFORE; Nadine J. Griffin *moves* this Court's judicial officials honor All doctrines of law as applicable hereto governed with respect to the Constitution for the United States of America and United States Supreme Court landmark decisions *stare decisis*, that if ignored by this Court's judicial officials – you would be deemed in contempt of the Supreme Court.
  - 1.4 Any other lawful remedy or process this Court deems lawfully just and proper.

## VERIFICATION

I, Nadine J. Griffin declare under penalty of perjury as a Conscious, Thinking, Feeling, Living, Breathing, Flesh and Blood Sentient Being, proceeding under the Laws of my Creator

1 and the Constitution for the United States of America, that the forgoing is true and correct to the  
2 best of my first hand knowledge. All Rights retained without recourse.  
3  
4

This 31 day of January 2006.

5 Signature:

Nadine J. Griffin  
Accused, Belligerent Claimant  
c/o 13799 Park Blvd. North #244  
Seminole, Florida [33776-3402]

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IN THE UNITED STATES DISTRICT COURT  
5 FOR THE DISTRICT OF MASSACHUSETTS  
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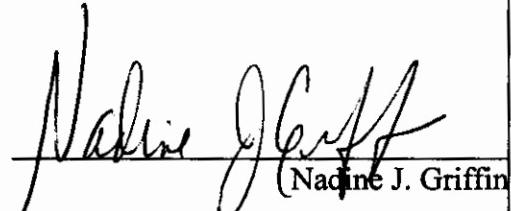
7 <b>UNITED STATES OF AMERICA,</b>	<b>CASE NO. 05-CR-10175-WGY</b>
8 <b>Plaintiff,</b>	<b>CERTIFICATE OF SERVICE VERIFIED</b>
9 <b>vs.</b>	<b>MOVE FOR DUE PROCESS AND</b>
10 <b>Nadine J. Griffin,</b>	<b>EQUAL PROTECTION UNDER</b>
11 <b>Accused, Belligerent Claimant.</b>	<b>THE LAW AND VERIFIED</b>
	<b>AFFIDAVIT IN SUPPORT</b>
	<b>Nadine J. Griffin</b>

12  
13 I, Nadine J. Griffin, certify that on January 31, 2006, I served a true and correct copy of the  
14 above and foregoing Verified Move for Due Process and Equal Protection Under the Law and  
Affidavit in Support by Certified Mail, postage fully prepaid address to:

15 Christopher Maietta  
16 United States Attorney's Office  
17 1 Courthouse Way  
Suite 9200  
Boston, Massachusetts 02210  
18 Certified Mail No.7004 2890 0001 9659 8651

19 William Smith, Majority Chief Counsel  
20 Preet Bharara, Minority Chief Counsel  
US Committee on the Judiciary  
21 Subcommittee on Administrative Oversight and the Courts  
22 224 Dirksen Senate Office Building  
Washington, D.C. 20510  
23 Certified Mail No.7004 2890 0001 9659 8668

24 Dated this 31 day of January, 2006.



Nadine J. Griffin